

TDC Blue Ribbon Committee
May 9, 2007 Meeting Minutes Final

Members Present: ECOSLO- Maria Lorca; Development Firm – Denis Sullivan; Land Conservancy – “BK” Bruce Richard; General Public - Christine Volbrecht; South County Advisory Council - Jesse Hill; Templeton Area Advisory Group - Nicholas Marquart; City of Paso Robles- Ron Whisenand; City of San Luis Obispo – Kim Murry; Active Agriculturalist – Charles Whitney; Farm Bureau – Joy Fitzhugh; Subdivision Review Board, Air Pollution Control Board – Aeron Arlin Genet; General Public – Melissa Boggs

Members Absent: Sierra Club – Susan Harvey; Ag Liaison – Mark Pearce; Existing TDC receiver site – Chad Whittstrom; Subdivision Review Board, Public Works – Richard Marshall;

Committee Staff Present: Karen Nall, Planning and Building, Kami Griffin, Planning and Building

Others Present: Lynda Auchinachie Co Ag Department, and Sue Luft

Aeron Arlin Genet opens the meeting.

Aeron Arlin Genet notes that it seems we typically run out of time never an opportunity to add items to the agenda that have come up since the last meeting. Chris Volbrecht requests that the issue of the RPD and South Atascadero TDC Plan be added to a future agenda. Maria Lorca suggests that a listing be added for item to be discussed at future agendas. Karen Nall suggests putting a “new business” item on the agenda. Aeron Arlin Genet agrees this will be a good catch all of items that we need to decide to agendize or not. Maria Lorca notes that she has reviewed previous minutes and has compiled a list of items for future agendas. Karen Nall suggests that Maria email the list to her, she will distribute to all members and we will discuss at the next meeting. Discussion ensues regarding the status report of the committee to the Board of Supervisors. Kami Griffin notes that the report is a status report prepared by staff and it will be available when it is released to the Board members.

Discussion ensues regarding the preparation of a list which the members can rank and receive consensus on what should be agendized. Chris Volbrecht requests that the RPD and South Atascadero TDC program be added to next agenda. Discussion ensues regarding South Atascadero TDC Plan and placement on the agenda also suggestions are made to have staff and the South Atascadero Committee to make a presentation on the proposed plan.

Karen Nall notes that the RPD minutes from the Board meeting was sent to the committee in an attempt to clarify the issue of antiquated subdivisions and that the issue does not need to be agendized because it is part of our work program.

Discussion: Item 1. Work Program B. 2. Reevaluate the allowed uses in conservation easements for sending sites and establish additional specific requirements for management.

Discussion begins with the issue of restaurants.

Maria Lorca notes that there are at least five lists of allowed uses on ag land to be evaluated: 1. list of prohibited uses for ag sending sites from the current ordinance, 2. list of allowed uses for ag zoned agriculture, 3. list of uses retained in conservation easements at the Bonnheim ag sending site, 4. list of uses for land under Williamson Act contracts per rules of procedure now being revised and 5. list of uses allowed in ag cluster ordinance

Aeron Arlin Genet recaps what occurred at the last meeting; the committee went line by line through the uses currently allowed in agriculture to evaluate any use that the committee suggests should not be allowed on new sending sites. In addition, a subcommittee of Maria Lorca and Joy Fitzhugh was formed to bring to the committee the draft list of amended uses for lands under Williamson Act. This list is currently being evaluated by the Agriculture Department and Planning Department.

Maria Lorca notes that there are at least five uses to be evaluated. Joy Fitzhugh provides a listing which compares Williamson Act uses to the current allowable uses in the Land Use Ordinance. Discussion ensues

regarding how many residences are allowed parcels under the Williamson Act land. Kami Griffin notes that Warren Hoag will hopefully attend the committee today to clarify the current rules and when the changes are being proposed. Discussion ensues regarding credits and value of uses.

Discussion Item 2. – Continuation of Work Program B. 2. Reevaluate the allowed uses in conservation easements for sending sites and establish additional specific requirements for management.

-Restaurants Karen Nall notes that restaurants are also listed as “Eating and Drinking Places”. This use is currently allowed in Agriculture. Lynda Auchinachie notes that this is recommended to be deleted from the uses allowed on lands within the Williamson Act. Ron Whisenand questions whether the purchase of cheese and meats at a winery constitutes a restaurant. Kami Griffin notes that cheese and bread is just incidental and accessory to the wine tasting business but that limited restaurants are currently allowed. Ron Whisenand notes that events and tasting are essential for wine marketing. Charlie Whitney notes that if you have a potential sending site that has a viable processing operation like a winery then a solution would be to take that area out of the conservation easement. BK agrees that the conservation easement should cover the area with something to protect. Maria Lorca questions how to define what the conservation value is? BK responds that it is unknown until the particular property is evaluated because it is site specific. BK further adds that he believes the current rules for allowed uses in agricultural work and that there is no need to create another list.

Consensus to leave in limited food service facilities which are accessory to visitor serving facility.

Chris Volbrecht notes that she agrees with BK and questions why we are further restricting what can be done on a sending site. Kami Griffin notes that this was brought up as a problem with the program which people that were concerned about and the Board directed us to review the list. Kami Griffin notes that the committee could decide that it is up to the conservation agency to further restrict the sending sites uses. BK notes that the concerns were raised with the Bonnheim easement; he suggests it may not have been strong enough. Discussion ensues regarding the Bonnheim easement. Kami Griffin questions whether on a site like Bonnheim which the conservation value is keeping the site in agriculture would the conservation agency likely get involved in the agricultural management practices and restrict the trimming of oak trees. BK notes that Bonnheim is a conservation easement which allows a working ranch. BK notes that the land Conservancy looks at what is being conserved and then what uses should not be restricted because they may interfere with what is being conserved. Karen Nall notes that if the conservation easement was for an oak woodland then oak trimming would certainly be restricted. Kim Murry notes she believes that we are trying to balance the value of each individual property. We are also trying to address by going through the list a perception issue and trying to sell it to the public that what you are saving is valuable enough to send credits somewhere else. Maria Lorca asks that if the sending sites are allowed all the uses already allowed by agriculture zoning then what are they really giving up? BK responds that it is the “cost of sprawl” which is very expensive. Maria Lorca notes that she would like the sending and receiving site map and notes that she believes we have taken 42 lots at the sending sites and created 252 credits that have or will become new lots that are spread out everywhere and that the program has created sprawl. Charlie Whitney notes that sprawl was the reason behind having the Williamson Act in the county because the cost to develop in the outlying areas is some much greater than in the urban areas where services exist. BK would like to see the background data if it exists.

Aeron Arlin Genet brings the group back to the list.

-Roadside stands. The group suggests keeping in.

-Bed and Breakfast. Discussion ensues regarding the current ordinance. Lynda Auchinachie notes that the restricted uses on Williamson Act land is being referred to the changes currently being made with

the Ag Tourism effort. Kami Griffin notes that the proposed changes for B&B's and farm stays are all located within existing single family houses which will not be within the conservation easement areas.

- Temporary offices/trailers not an issue
- Public Safety Facility. Group decides to leave in.
- Storage- accessory. Group decides to leave in as it is accessory to the ag use
- Temporary construction yard. Group decides to leave in
- Waste Disposal sites are discussed and group decides to delete.
- Air field and Heliports. Maria Lorca notes that under Williamson Act contract they are limited to ag uses. Kami Griffin notes she will check the Ordinance on what type of airfields are allowed in agriculture.
- Communication Facility. Group discusses cell sites etc and decides to leave in.
- Pipelines. Group decides to leave in.
- Public Utility facilities. Group discusses and decides to exclude.

Aeron Arlin Genet questions whether we will have the results of the changes at some point. Karen Nall notes that she will bring back the list of proposed uses and chart the proposed changes.

BK questions whether small telephone switching would be allowed. Discussion ensues. Kim Murry notes that they may be regulated by the PUE. Kami Griffin notes she will review the ordinance and come back to the group. Aeron Arlin Genet questions whether we need to weigh the lists so that the conservation agencies know what we felt is a priority. BK notes that he believe that he thinks the list is most helpful which shows what the group agrees to take an exception to the allowed ag uses.

Aeron Arlin Genet opens the discussion to the public.

Sue Luft comments that she believes that the public will perceive some wineries with 40 events a year with all the associated impacts from traffic and water as development.

Discussion Item B.3. Investigate a requirement of sending sites to merge all underlying parcels.

Consider requiring the TDC program to retire lots.

Kami Griffin provides an overview and notes that the current program does not require underlying lots to be merged. She notes that the county does have any easy lot merger process. Kami Griffin adds that the county has heard from agriculturalist that they prefer not to merger parcels so that the individual lots can be used for finance purposes without tying up the entire property and question whether the Land Conservancy requires mergers. BK responds that they do not require mergers for the same financing reasons and that the flexibility is needed. Ron Whisenand questions why this issue came up and was it a problem. Kami Griffin notes that it is a perception problem. Kim Murry agrees that it is a perception problem because the lots still exist so there is a perception that nothing was given up. Joy Fitzhugh notes that it allows neighbors to adjust property lines. Aeron Arlin Genet notes that we need incentives to use the program and questions whether this would be a disincentive. Kami Griffin notes that we could let people know the option is available. Charlie Whitney question if this is an item that the Land Conservancy would use to negotiate with. BK responds that it is not a requirement and it does not come up. Discussion ensues. Ron Whisenand notes that if a site has many underlying lots can I development them separately. Kami Griffin suggests that we restrict the allowable uses for the entire sending site not the individual underlying parcels. Maria Lorca notes that there is a possibility to not allow the parcels to be conveyed separately. Jesse Hill notes that it will increase the property appraisal. Kami Griffin notes that she hears the group consensus is to add to the sending site check list the option to merge the underlying parcels and to restrict the future uses for the entire site. Denis Sullivan notes that if they choose not to merge the underlying parcels, the parcels still exist and all parcels are still covered by the conservation easement. BK notes that the conservation easement would state where the restricted uses could go. Discussion ensues. Ron Whisenand notes that the ordinance need to give the public the comfort level and why can't we duplicate the conservation agency process. Karen Nall question whether this can be done through the sending site process. Kami Griffin responds that we can request building site showing where the retained used will be. Chris Volbrecht suggests merging non-conforming parcels to meet the minimum parcel size. Maria Lorca notes that the purpose of the program is to retire lots but

that we are just considering merging parcels. Discussion ensues. Karen Nall notes that the original purpose of the program was to retire antiquated subdivisions but that we have not had a lot of application for sending sites for antiquated subdivisions. Kami Griffin adds that we have had a few but that they have opted out of the program because it is easier to develop the lots then to sell credit given the negative opinions of the receiver sites. Aeron Arlin Genet questions whether any of the sending sites have underlying lots. Kami Griffin responds that they all do. Karen Nall notes that we have not had antique subdivision come in as sending sites. Kami Griffin notes that we have had one application for the horse ranch near Creston but they have chosen not to pursue sending site status. Kami Griffin notes that what incentive can we provide to encourage participation in the program and avoid the cost of sprawl. Ron Whisenand notes that the original purpose of the program to retire antiquated subdivision and that we may question that purpose. Aeron Arlin Genet notes that we will begin with this topic next time. Jesse Hill questions whether there is consensus to retire lots for ag parcels. Discussion ensues. Group concurs that for ag parcels no merger is required but that it is an option and that uses will be restrict on the entire sending site.

Aeron Arlin Genet open this item to public comment. Lynda Auchinachie notes that the discussion has been very educational and will help the perception problem. Sue Luft question sending site on RR or RL. Kami Griffin notes that the sending site uses are limited to the sending site uses.

Aeron Arlin Genet notes Item B. Approval of Minutes from March 28th agenda. Karen Nall notes that all changes have been made except one late change and request that amend the minute under public comment to read “if needed the meeting will run past 5:00”. BK makes the motion to approve the minutes with the change. Charlie Whitney seconds the motion. Group votes will all approved with one abstention.

Chris Volbrecht requests that the South Atascadero item be added to the June 6th agenda because she will not be at the next meeting.

Aeron Arlin Genet opens the meeting to public comment for items not on the agenda. No public comment is received.

Meeting adjourned.

Next Meeting May 23, 2007 at 3:00.